

JS 44C/SDNY
 REV.
 10/01/2020

The JS-44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for use of the Clerk of Court for the purpose of initiating the civil docket sheet.

PLAINTIFFS
 SHAPNA AKTER and MUHAMMAD ALAM

DEFENDANTS
 IMMIGRANT ELDER HOME CARE LLC and GIASH AHMED

ATTORNEYS (FIRM NAME, ADDRESS, AND TELEPHONE NUMBER)
 AKIN LAW GROUP PLLC 45 BROADWAY SUITE 1420 NEW YORK, NEW YORK 10006 212-825-1400

ATTORNEYS (IF KNOWN)

CAUSE OF ACTION (CITE THE U.S. CIVIL STATUTE UNDER WHICH YOU ARE FILING AND WRITE A BRIEF STATEMENT OF CAUSE)
 (DO NOT CITE JURISDICTIONAL STATUTES UNLESS DIVERSITY)

29 U.S.C. § 201

Has this action, case, or proceeding, or one essentially the same been previously filed in SDNY at any time? No ☒ Yes ☐ Judge Previously Assigned

If yes, was this case Vol. ☐ Invol. ☐ Dismissed. No ☐ Yes ☐ If yes, give date _____ & Case No. _____

IS THIS AN INTERNATIONAL ARBITRATION CASE? No ☒ Yes ☐

(PLACE AN [x] IN ONE BOX ONLY)

NATURE OF SUIT

TORTS		CIVIL COVER SHEET		ACTIONS UNDER STATUTES	
CONTRACT	PERSONAL INJURY	PERSONAL INJURY	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
[] 110 INSURANCE	[] 310 AIRPLANE	[] 367 HEALTHCARE/	[] 625 DRUG RELATED	[] 422 APPEAL	[] 375 FALSE CLAIMS
[] 120 MARINE	[] 315 AIRPLANE PRODUCT	INJURY/PRODUCT LIABILITY	SEIZURE OF PROPERTY	28 USC 158	[] 378 QUI TAM
[] 130 MILLER ACT	LIABILITY	[] 365 PERSONAL INJURY	21 USC 881	[] 423 WITHDRAWAL	[] 400 STATE
[] 140 NEGOTIABLE	[] 320 ASSAULT, LIBEL &	PRODUCT LIABILITY	[] 890 OTHER	28 USC 157	REAPPORTIONMENT
INSTRUMENT	SLANDER	[] 368 ASBESTOS PERSONAL	PROPERTY RIGHTS		[] 410 ANTI-TRUST
[] 150 RECOVERY OF	[] 330 FEDERAL	INJURY PRODUCT			[] 430 BANKS & BANKING
OVERPAYMENT &	EMPLOYERS'	LIABILITY			[] 450 COMMERCE
ENFORCEMENT	LIABILITY				[] 460 DEPORTATION
OF JUDGMENT	[] 340 MARINE	PERSONAL PROPERTY	[] 820 COPYRIGHTS	[] 880 DEFEND TRADE SECRETS ACT	[] 470 RACKETEER INFLU-
[] 151 MEDICARE ACT	[] 345 MARINE PRODUCT		[] 830 PATENT		ENCED & CORRUPT
[] 152 RECOVERY OF	LIABILITY	[] 370 OTHER FRAUD	[] 835 PATENT-ABBREVIATED NEW DRUG APPLICATION		ORGANIZATION ACT
DEFAULTED	[] 350 MOTOR VEHICLE	[] 371 TRUTH IN LENDING			(RICO)
STUDENT LOANS	[] 355 MOTOR VEHICLE		[] 840 TRADEMARK		[] 480 CONSUMER CREDIT
(EXCL VETERANS)	PRODUCT LIABILITY				[] 485 TELEPHONE CONSUMER
[] 153 RECOVERY OF	[] 360 OTHER PERSONAL	[] 380 OTHER PERSONAL	LABOR	SOCIAL SECURITY	PROTECTION ACT
OVERPAYMENT	INJURY	PROPERTY DAMAGE	[] 710 FAIR LABOR	[] 861 HIA (1395ff)	
OF VETERANS	[] 362 PERSONAL INJURY	PRODUCT LIABILITY	STANDARDS ACT	[] 862 BLACK LUNG (923)	[] 490 CABLE/SATELLITE TV
BENEFITS	MED MALPRACTICE		[] 720 LABOR/MGMT	[] 863 DIWC/DIWW (405(g))	[] 850 SECURITIES/
[] 160 STOCKHOLDERS		PRISONER PETITIONS	RELATIONS	[] 864 SSID TITLE XVI	COMMODITIES/
SUITS		[] 483 ALIEN DETAINEE	[] 740 RAILWAY LABOR ACT	[] 865 RSI (405(g))	EXCHANGE
[] 160 OTHER		[] 510 MOTIONS TO	LEAVE ACT (FMLA)		[] 880 OTHER STATUTORY
CONTRACT		VACATE SENTENCE	[] 751 FAMILY MEDICAL	FEDERAL TAX SUITS	ACTIONS
[] 185 CONTRACT	ACTIONS UNDER STATUTES	28 USC 2255	OTHER LABOR	[] 870 TAXES (U.S. Plaintiff or	[] 891 AGRICULTURAL ACTS
PRODUCT	CIVIL RIGHTS	[] 530 HABEAS CORPUS	UTIGATION	Defendant)	[] 893 ENVIRONMENTAL
LIABILITY	[] 440 OTHER CIVIL RIGHTS	[] 535 DEATH PENALTY	[] 791 EMPL RET INC	[] 871 IRS-THIRD PARTY	MATTERS
[] 196 FRANCHISE	(Non-Prisoner)	[] 540 MANDAMUS & OTHER	SECURITY ACT (ERISA)	28 USC 7609	[] 896 FREEDOM OF
					INFORMATION ACT
REAL PROPERTY	[] 441 VOTING	PRISONER CIVIL RIGHTS	IMMIGRATION		[] 898 ARBITRATION
[] 210 LAND	[] 442 EMPLOYMENT	[] 550 CIVIL RIGHTS	[] 462 NATURALIZATION		[] 899 ADMINISTRATIVE
CONDEMNATION	[] 443 HOUSING/	[] 555 PRISON CONDITION	APPLICATION		PROCEDURE ACT/REVIEW OR
[] 220 FORECLOSURE	ACCOMMODATIONS	[] 560 CIVIL DETAINEE	ACTIONS		APPEAL OF AGENCY DECISION
[] 230 RENT LEASE &	[] 445 AMERICANS WITH	CONDITIONS OF CONFINEMENT			[] 950 CONSTITUTIONALITY OF
EJECTMENT	DISABILITIES -				STATE STATUTES
[] 240 TORTS TO LAND	EMPLOYMENT				
[] 245 TORT PRODUCT	AMERICANS WITH				
LIABILITY	DISABILITIES -OTHER				
[] 290 ALL OTHER	[] 448 EDUCATION				
REAL PROPERTY					

Check if demanded in complaint:

☒ CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23

DO YOU CLAIM THIS CASE IS RELATED TO A CIVIL CASE NOW PENDING IN S.D.N.Y. AS DEFINED BY LOCAL RULE FOR DIVISION OF BUSINESS 13? IF SO, STATE:

DEMAND \$ _____ OTHER _____ JUDGE _____ DOCKET NUMBER _____

Check YES only if demanded in complaint
 JURY DEMAND: ☒ YES ☐ NO

NOTE: You must also submit at the time of filing the Statement of Relatedness form (Form IH-32).

(PLACE AN x IN ONE BOX ONLY)

ORIGIN

- ☒ 1 Original Proceeding ☐ 2 Removed from State Court ☐ 3 Remanded from Appellate Court ☐ 4 Reinstated or Reopened ☐ 5 Transferred from (Specify District) ☐ 6 Multidistrict Litigation (Transferred) ☐ 7 Appeal to District Judge from Magistrate Judge
- ☐ a. all parties represented ☐ b. At least one party is pro se. ☐ 8 Multidistrict Litigation (Direct File)

(PLACE AN x IN ONE BOX ONLY)

BASIS OF JURISDICTION

- ☐ 1 U.S. PLAINTIFF ☐ 2 U.S. DEFENDANT ☒ 3 FEDERAL QUESTION ☐ 4 DIVERSITY
- (U.S. NOT A PARTY)

IF DIVERSITY, INDICATE CITIZENSHIP BELOW.

CITIZENSHIP OF PRINCIPAL PARTIES (FOR DIVERSITY CASES ONLY)

(Place an [X] in one box for Plaintiff and one box for Defendant)

CITIZEN OF THIS STATE	PTF DEF [] []	CITIZEN OR SUBJECT OF A FOREIGN COUNTRY	PTF DEF [] []	INCORPORATED and PRINCIPAL PLACE OF BUSINESS IN ANOTHER STATE	PTF DEF [] []
CITIZEN OF ANOTHER STATE	[] []	INCORPORATED or PRINCIPAL PLACE OF BUSINESS IN THIS STATE	[] []	FOREIGN NATION	[] []

PLAINTIFF(S) ADDRESS(ES) AND COUNTY(IES)

(PLACE AN x IN ONE BOX ONLY)

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DEFENDANT(S) ADDRESS(ES) AND COUNTY(IES)

(PLACE AN x IN ONE BOX ONLY)

BASIS OF JURISDICTION

- ☐ 1 U.S. PLAINTIFF ☐ 2 U.S. DEFENDANT ☒ 3 FEDERAL QUESTION ☐ 4 DIVERSITY
- (U.S. NOT A PARTY)

IF DIVERSITY, INDICATE CITIZENSHIP BELOW.

DEFENDANT(S) ADDRESS UNKNOWN (FOR DIVERSITY CASES ONLY)

REPRESENTATION IS HEREBY MADE THAT, AT THIS TIME, I HAVE BEEN UNABLE, WITH REASONABLE DILIGENCE, TO ASCERTAIN THE RESIDENCE ADDRESSES OF THE FOLLOWING DEFENDANTS:

CITIZEN OF THIS STATE	PTF DEF [] []	CITIZEN OR SUBJECT OF A FOREIGN COUNTRY	PTF DEF [] []	INCORPORATED and PRINCIPAL PLACE OF BUSINESS IN ANOTHER STATE	PTF DEF [] []
CITIZEN OF ANOTHER STATE	[] []	INCORPORATED or PRINCIPAL PLACE OF BUSINESS IN THIS STATE	[] []	FOREIGN NATION	[] []

PLAINTIFF(S) ADDRESS(ES) AND COUNTY(IES)

COURTHOUSE ASSIGNMENT

I hereby certify that this case should be assigned to the courthouse indicated below pursuant to Local Rule for Division of Business 18, 20 or 21.

Check one: THIS ACTION SHOULD BE ASSIGNED TO: ☐ WHITE PLAINS ☒ MANHATTAN

DATE 11/18/2022

SIGNATURE OF ATTORNEY OF RECORD

ADMITTED TO PRACTICE IN THIS DISTRICT

☐ NO☒ YES (DATE ADMITTED Mo. March Yr. 2020)

Attorney Bar Code # 5749395

RECEIPT #

Magistrate Judge is to be designated by the Clerk of the Court.

Magistrate Judge _____ is so Designated.

Ruby J. Krajick, Clerk of Court by _____ Deputy Clerk, DATED _____

UNITED STATES DISTRICT COURT (NEW YORK SOUTHERN)

Clear Form

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